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10/676,572

09/30/2003

Stuart D. Cheshire

APL-P3153

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APPLE COMPUTER, INC.

c/o PARK, VAUGHAN & FLEMING LLP

2820 FIFTH STREET

DAVIS, CA 95618-7759

EXAMINER

HAMZA, FARUK

ART UNIT

PAPER NUMBER

2155

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|------------------------------|-------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/676,572 | Applicant(s) CHESHIRE, STUART D. | |
| | Examiner Faruk Hamza | Art Unit 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) 25-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to the amendment filed on October 19, 2007.
Claims 1,9 and 17 have been amended. Claims 2,10,18 and 25-34 have been canceled. Claims 1,3-9,11-17 and 19-24 are pending.
2. The applicant should always use the period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks TM, and other legal symbols [®], where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper antecedent basis for "the" and "said" within each claim). Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1,3-9,11-17 and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Traversat et al. (U.S. Pub. No. 2002/0184357) hereinafter referred as Traversat.

Traversat teaches the invention as claimed including a system and method for providing rendezvous nodes in a peer-to-peer networking environment. Rendezvous nodes preferably cache information about network resources that may be useful to peer nodes on a peer-to-peer network (abstract).

As to claim 1, Traversat teaches a method for validating a resource record in a local cache at a client computer system within a network, comprising:

retrieving the resource record from the local cache at the client (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing one or more queries for the resource record (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a response to the query (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

if the response to the query is not received in a pre-determined amount of time, invalidating the resource record at the client, wherein invalidating the resource record involves deleting the resource record (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 3, Yokoyama teaches the method of claim 1, further comprising:

receiving a multicast message from a second client querying a second device (P[0295-0295],P[0300-0303],P[0315-0319]);

locating a second resource record associated with the second device (P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a multicast response to the multicast query (P[0295-0295],P[0300-0303],P[0315-0319]); and

if after a pre-determined number of queries the multicast response to the multicast query is not received in the pre-determined amount of time, invalidating the second resource record (P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 4, Yokoyama teaches the method of claim 1, wherein invalidating the resource record further comprises invalidating a child record of the resource record (P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 5, Yokoyama teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing a query for the parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a response to the query from the device (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

if the response to the query is not received in a pre-determined amount of time, invalidating the parent record, and then repeating the above process by applying it recursively to any records that refer to the now-invalidated parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 6, Yokoyama teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing a query for the parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

receiving a response to the query from the device, wherein the response includes information for updating the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

updating the resource record with the information received in the response (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 7, Yokoyama teaches the method of claim 6, wherein the method further comprises updating the parent record with the information received in the response (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 8, Yokoyama teaches the method of claim 1, wherein the method is invoked at a pre-specified time interval (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

Claims 9,11-17 and 19-24 do not teach or define any new limitations other than above claims 1 and 3-8. Therefore, rejected for similar reasons.

4. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER